THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 25993 of 2006

15-12-2006

Between:-

Talluri Sitaram Mounisa

Petitioner

And

The District Collector,
West Godavari district, Eluru and two others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 25993 of 2006

Oral order:

The writ petition is misconceived. In respect of land in an extent of Ac.01-45 cents in R.S.No. 51/1, D. Muppavaram village, Nidadavolu mandal, West Godavari district, a notification under Section 4 (1) of the Land Acquisition Act, 1894 (for short 'the Act') was issued on 10-10-2006 proposing its acquisition for the purpose of providing house sites to weaker sections. Enquiry under Section 5-A of the Act has not been dispensed with invoking urgency clause. Notice in Form-III was issued to the landowner soliciting objections to the acquisition process. Objections were lodged by the petitioner on 06-11-2006. No declaration under Section 6 of the Act has yet been issued.

Nevertheless, apprehending rejection of his objections and continuance with the process of acquisition, this writ petition is filed on what is presently a mere apprehension. The petitioner urges a number of grounds, already included in her memorandum of objections viz., that the acquisition is for weaker sections and the location of the lands to be acquired is beyond a reasonable distance from an existing colony of weaker section persons in the village; that the lands of the petitioner are valuable; and that the petitioner has no other lands, except the land proposed in the impugned acquisition and therefore she would be deprived of her livelihood.

None of the above grounds require to be considered by this court particularly in the context that the petitioner having already made these objections in her memorandum of objections, which will have to be considered by the competent authority in the enquiry under Section 5-A of the Act.

On the aforesaid analysis, there are no merits. The writ petition is dismissed. No costs.

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GODA RAGHURAM, J

Dated:15-12-2006
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